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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/588,534	06/07/2000	Ronnie Dale Johnson	BS99-090	9205
28970	7590	10/21/2003	EXAMINER GORT, ELAINE L	
SHAW PITTMAN IP GROUP 1650 TYSONS BOULEVARD SUITE 1300 MCLEAN, VA 22102			ART UNIT 3627	PAPER NUMBER

DATE MAILED: 10/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/588,534

Applicant(s)

JOHNSON ET AL.

Examiner

Elaine Gort

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) 21-34 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 07 June 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other:

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Golden et al. (US Patent 5,774,872) in view of Examiner's Official Notice.

Golden et al. discloses a method of verifying taxes on a customer hold bill (such as the creation of a bill for professional services on a PC or "software only" terminal) including: downloading to a local server billing data associated with a customer account, where the billing data having been used to generate a hold bill scheduled to be sent to a customer which includes hold bill tax charges (for example when the central computer of the system receives the transaction values and transaction tax generated when the bill is created on a "software only" terminal discussed in column 4, lines 37+); populating a database (for example database 31) with a portion of the billing data (such as the date of transaction, tax charged, etc...); performing pre-calculation functions on another portion of the billing data and populating the database with results of the pre-calculation functions (such as sorting by types of sales, daily totals, etc...); displaying predetermined categories of information stored in the database where the categories of information encompass at least a subset of the results of pre-calculation functions

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(categorized for example by 28A-28D, e.g. categorized by merchant); independently calculating taxes to produce calculated tax results for each of several charges in the billing data utilizing the billing data populated in the database by applying tax rate information to sales/account charges and storing the calculated tax results (such as when the central computer analyzes the item prices and cross checks tax charged to make sure it is in compliance and creates reports); and comparing the calculated tax results with the hold bill tax charges on the customer bill to verify the accuracy of the hold bill tax charges (such as: a report generated can be used to allow users to check against the merchants own records and additionally, if the analyzed amount is not the same as the tax collected, which is the same as the amount on the customer hold bill, then there is non-compliance and a non-compliance report is created).

Golden et al. discloses the claimed method but is silent regarding the display of the predetermined categories of information and where the hold bill is not sent until after the tax amount is verified. Examiner takes official notice that it is old and well known in the art of computer database use to display databases via a monitor to provide a user the capability to view the database contents. In addition, Examiner takes official notice that it is old and well known in the art of accounting to reconcile accounts to insure accuracy. The method of Golden et al. either inherently displays the categories, or in the alternate, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the method of Golden et al. with the display of the categories and reconciliation of billed amounts and to check the central computers reported figures against the merchant's records prior to billing, in order to

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allow a user to view the categories and the data within the database and to insure the accuracy of the tax charged on the bill.

Regarding the summing of toll telephone charged, it would have been obvious that if the service or item sold was a toll call that the toll charges would have to be pre-calculated.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection. See details above regarding the new rejection.

### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elaine Gort whose telephone number is (703)308-6391. The examiner can normally be reached on Monday through Thursday from 7:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski, can be reached at (703)308-5183. The fax phone number for the organization where this application or processing is assigned is (703)872-9326.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-1113.

EG



October 15, 2003



ROBERT P. OLSZEWSKI  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600